

REMARKS

The present amendment is in response to the Official Action mailed December 6, 2005. Applicant has amended claims 1-2 and 5-11, cancelled claim 3 and added new claim 12. Thus, claims 1-2 and 5-12 as amended, remain pending.

Reexamination and reconsideration of the above-identified application, in light of the amendments and remarks that follow, are respectfully requested. Because the present claims are believed to (1) clarify the invention based on the comments of the Examiner in the telephone interview conducted on January 24, 2006 with Applicant's counsel, (2) address the issues in the outstanding Official Action, and (3) patentably define over the prior art that has been previously applied, it is submitted that good and sufficient cause exists for the entry of this amendment in accordance with 37 C.F.R. § 1.116.

As an initial matter, Applicant's counsel would like to thank Examiner Paula for the courtesies extended by him during a telephone interview on January 24, 2006 in which the present invention and the prior art were discussed. The Examiner suggested clarification of the pending claims to distinguish the virtual shared scenes (or intermediate scene "templates") used by the presently claimed invention over the simple use of common objects that can be added to web pages via well-known HTML editing programs used to create web pages. As such, Applicants have amended to the claims to clarify the nature of the invention without intending to narrow the scope of the invention.

Applicant has also revised several names of the claimed modules (see, e.g., claim 1) for clarification and better correspondence with the names of the modules described in the specification, for instance, in accordance with the description of Figure 19.

In the Official Action, the Examiner has again rejected all of the claims under 35 U.S.C. § 103(a) as being unpatentable on the basis of obviousness in view of U.S. Patent No. 6,201,948 to Cook et al. ("Cook"). For the reasons explained below, it is respectfully submitted that claims are not rendered obvious by Cook.

Cook fails to disclose, teach or suggest the invention as specified in the claims. The disclosure relied upon by the Examiner in Cook relates only to the use of *objects*, and not shared scenes (i.e., "virtual" or "intermediate" scenes), formed in accordance with an internal format, which are used (i.e., combined) by the editor to then form the final scenes. The shared scenes of the instant invention themselves contain shared objects that are normally sharable among final scenes in accordance with the predetermined specification (such as MHEG).

To provide a simplified editing apparatus that uses shared scenes (with shared objects) as intermediate "templates" to be used and combined to form the final scenes, the present invention provides, in claim 1:

a shared-scene creation module operable allow the editor to define shared scenes, said shared scenes being virtual scenes formed in accordance with an internal format and used to form the final scenes, each of the shared scenes comprising one or more shared objects that are sharable among the final scenes in accordance with the predetermined specification;

a shared-scene processing module operable to enable the editor to select two or more shared scenes to be combined for creating each of the final scenes;

an application creation module operable to describe control information in accordance with the

internal format based on said shared scenes set by the editor via said shared-scene creation and processing modules; and

an output control module for converting said control information into shared object control information for forming the final scenes created in accordance with said predetermined specification.

Claims 7-11 include similar clarifications. New claim 12 is similar but also provides further details about the shared objects and the predetermined specification by calling for:

a shared-scene creation module operable to allow the editor to define intermediate scene templates in accordance with an internal format that include one or more shared objects that are sharable in an always on or always off manner among final scenes in accordance with a predetermined, industry-standard specification;

a shared-scene processing module operable to enable the editor to combine two or more of the intermediate scene templates to form a desired final scene that is a combination of the shared objects contained within the editor-selected intermediate scene templates;

an application creation module operable to form shared-scene definition statements of shared objects files in accordance with the internal format, the shared object files comprising shared objects from the combined editor-selected intermediate scene templates; and

an output control module for providing description files that include descriptions of links for controlling the shared objects from the shared object files from each editor-selected intermediate

scene template, the description files forming a script that complies with the industry-standard specification to control the display of the shared objects in the final scenes.

There is a fundamental difference between the present invention, which relates to how an editor creates or programs visual screens for display, and Cook. In particular, the presently claimed invention relates to editing apparatus and methods that allow an editor to readily create final scenes from intermediate or shared scenes by selecting and combining such scenes, whereas Cook merely provides already-created final scenes to the user (such as a student) without disclosing the specifics underlying editing methodology used by the programmer or editor to create those final scenes. As such, Cook does not disclose or suggest the particular "intermediate" editing methodology as claimed in the present invention.

The presently claimed invention provides a solution to a problem that existed with existing editing and authoring tools as described, for example, in paragraphs [0267]-[0268] of the present application, which explain the shortcomings of prior editing work in which the editor would need to have sufficient knowledge of the scripting language to enable editing work done using shared objects. Namely, such prior editing tools only had the functionality of turning a shared object on or off simultaneously for all scenes, which made it difficult for the editor to utilize a shared object effectively among the various scenes. With the present invention, the editor can now carry out editing work using shared scenes (not objects alone) and create a final scene that is a result of the selection of shared scenes, without worrying about scripting needed to selectively turn shared objects on or off.

Unlike Cook, which relates to displaying various objects on a screen for interaction by a student or user to approximate a real tutor, the present invention relates to programming by an editor done at an intermediate "scene level" rather than at an individual "object level." See, for example, Fig. 20A, where the editor can specify which shared scenes will be used to form a final MHEG-compliant scene. This is a different programming paradigm that is not discussed or suggested by Cook.

The final scene creation aspect of the presently claimed invention allows the editor to select desired shared scenes (which scenes are made up of shared objects normally turned "on" to be used in all scenes or "off" so as not to be used in all scenes) to be used for creating the ultimate or final scenes. For instance, in Figure 16D, shared scenes 1 and 2 are used in combination to form MHEG scene 2. The shared scenes are virtual scenes and are formed in accordance with an internal format of the authoring tool. Thus, an application creation module (or step) operates to describe control information in accordance with the internal format and an output control module or (step) converts that control information into shared object control information for forming the final scenes in accordance with the predetermined (e.g., industry-standard) specification. None of these features are present in, or suggested by, Cook.

Cook does not provide or discuss a solution to the specific shared object authoring problem solved by Applicant's invention. Cook provides an end result of supplying to a user a plurality of screens that allows the user of the system to navigate to different portions of the program. Although Cook displays screens with objects common to multiple screens, as do most web pages on a website, Cook does not teach or suggest the specifically-claimed editing apparatus or methods of the present

invention that allow an editor to select and combine shared scenes, and enable conversion from an internal specification to a predetermined or industry format (such as MHEG) to create the ultimate final scenes to be viewed.

For the foregoing reasons, it is respectfully submitted that pending claims are not rendered obvious by Cook. As such, it is requested that the Examiner withdraw the rejection of the claims over Cook.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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